

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.755 OF 2005
IN
CRIMINAL APPEAL NO.689 OF 2002

Shri Balu Ramu Patole ..Applicant
V/s. (Org.Accused No.2)

State of Maharashtra ..Respondent

Mr.R.V.Bansode for the applicant.

Mrs.P.H.Kantharia, Addl.Public Prosecutor for the
Respondent/State.

**Coram : R.M.LODHA &
R.S.MOHITE, JJ**

Date : 11.02.2005.

PC

. Heard the learned Counsel for the applicant and the learned Additional Public Prosecutor for the Respondent/State.

2. The applicant is original accused no.2. He has been convicted of the offence punishable under Section 392 with the aid of Section 34 of the Indian Penal Code. Though the applicant (accused no.2) is alleged to have a stick with him but there is no evidence that he attacked the victim by a stick. We are informed by the learned Counsel for the applicant that he was on bail during the trial. This aspect is not disputed by the learned

Additional Public Prosecutor. Taking into consideration all factors of the case, we are satisfied that the applicant (accused no.2) deserves to be enlarged on bail during the pendency of the Appeal.

3. Hence the following order :-

O R D E R

(i) The applicant Balu Ramu Patole is ordered to be released on bail on his furnishing personal bond in the sum of Rs.10,000/- with two sureties in the like amount to the satisfaction of the trial Court for this appearance before this Court as and when required.

(ii) Bail application stands disposed of.

(R.M.LODHA, J)

(R.S.MOHITE, J)